



PUBLISHED DAILY AND TRI-WEEKLY BY
EDGAR SNOWDEN.
FRIDAY EVENING, FEBRUARY 7, 1879.

It must be evident to all who have watched the proceedings of the General Assembly, that there is a considerable party in that body opposed to public schools, and it is also evident that it is sought to effect their destruction by indirect means, rather than by open and manly opposition. A school system poorly administered is sure to lose the confidence of the people, and to that condition some of the measures at present awaiting action would be certain, if adopted, to reduce ours. The financial embarrassment of the Commonwealth has been skillfully taken advantage of to undermine the public schools on the pretence of necessary economy, and, thus many true friends, unconscious of their danger, are entrapped into assisting their enemies.

Intelligent supervision is an absolute necessity to a proper school system; teachers must be examined and none but the well qualified allowed to teach; schools must be regularly visited; and care must be taken that the school laws, the result of the experience of many years and many places, are faithfully executed. This is now done, or ought to be done, by the county superintendents. It may be that some of these gentlemen fail in the proper performance of their responsible duties; if so, let them be, at once, removed; but the abolition of the office, as proposed by the Committee on Constitutional Amendments, would leave our schools in the position of a ship without a pilot. Incompetent men and women would be employed as teachers, schools would be taught in a way that would offend the community, and the law would be obeyed or not, as it pleased them. Another proposition is to reduce the already small salaries of the county superintendents to a maximum of \$100. From this, the cities would, probably, not suffer, as all of them but Alexandria pay a competent man for his whole time already, and consider it economy to do so, and the gentlemen who fill the office here, are so situated and have such a love for his business, that he would, probably, continue his work if the small salary he receives from the State were withdrawn; but in the counties, and especially in the larger ones, the visiting of schools would become practically impossible, for the salary would not enable the superintendent to pay his way around.

The last proposition is aimed at the head of the system. The responsibility of the office of the Superintendent of Public Instruction is such that it must be held by a man of great ability and peculiar qualifications, and such a man we have in Dr. Ruffner. The action of all parties in reckoning him unanimously proved conclusively that there was then no objection to him, and what ever enemy he may have since incurred, has arisen from his fearless attitude with respect to public school interests, a position which, be it right or wrong, shows at least his unwavering devotion to the cause which it is his duty to defend. Yet for this, as it would seem, he is to be insulted by a paltry reduction in his salary, whilst those of all the other heads of departments are to be left untouched. The hope is, doubtless, that he will resign, and that an inefficient man, or an enemy to the public schools, may be elected in his place. The friends of the system should not be deluded by false pretences, and thus be made "to hold on at the spit and let go at the bungles."

More than a million of dollars is expended annually by the State and cities and counties, for educational purposes, and the fifty odd thousands paid for supervision is economically used in seeing that it produces the greatest possible fruit. A farmer or mechanic working fifty or a hundred acres without supervision would be reckoned a fool; what shall be said of a people who imitate him.

The adverse criticism of almost the entire press of the country—that portion which approved the confirmation of the President's New York custom house appointments as well as that which opposed it—of Secretary Sherman's personal application to Collector Arthur for a position for the son of Judge Bradley, of electoral commission notoriety, has induced the Secretary to publish a copy of that application, but by so doing he has not improved his own reputation, for in it are these words, written by his own hand: "For manifest reasons I would be very glad to oblige Mr. Bradley." To a majority of at least a million of the white voters of the country the "manifest reasons" referred to are those which tended to induce a re-election of the great favor conferred by Judge Bradley, who, after an historical interview with the Secretary, then a Senator, changed his views respecting the legality of Mr. Hayes' election, and gave the eighth and deciding vote by which the presidency was given to a man who was not entitled to it. Everybody else, from Secretary Sherman down to the negro messenger of the Florida returning board, who assisted, in the remotest degree, the accomplishment of the presidential fraud, has been paid for the part he took, and the reasoning and unprejudiced people of the country cannot see why an exception should be made in the case of Judge Bradley, to whom the success of the fraud was mainly attributable, especially when the Secretary, over his own signature, "sincerely hopes," that for "manifest reasons," the Judge's request for the appointment of his son to a lucrative position in the New York custom house may be granted.

It is unfortunate for such ultra radicals as Senator Edmunds and that portion of the republican press which is opposed to paying the heirs of General Lee for the Arlington estate, that the Supreme Court is as yet at least a

co-ordinate branch of the government. The Constitution, law, equity, justice are nothing to them, and would afford no bar to the execution of any of their malignant or selfish designs, but as long as the Supreme Court, even smirched as its character has been of late, has any regard for its reputation as a correct and capable arbiter of the law, the people have some guarantee of their rights; people of Virginia as well as those of Massachusetts, Gen. Lee's children, as well as those of anybody else.

The President is taking care of those radicals in the House whose constituents having become tired of them had, as they hoped, quietly laid them away forever on the political shelf. He yesterday appointed General N. P. Banks, Stonewall Jackson's Commissary General, U. S. Marshal of Massachusetts, and Mr. Martin I. Townsend, U. S. District Attorney for the northern district of New York. The assumed dignity of the former is as much out of place as the affected gentility of the latter, and it is to be regretted that the President could not have found truer friends and better men upon whom to confer his favors.

NEWS OF THE DAY.

The bill to provide for taking the next census passed the Senate yesterday.

The New Jersey House of Delegates have passed a bill prohibiting the manufacture of shoes in the State prison.

Brown, the treasurer of the Manhattan Tribes of Red Men, in Baltimore, leaves a letter confessing his embezzlement of trust funds.

The subscription to the four per cent. loan yesterday amounted to \$9,511,150. Secretary Sherman has issued a call for twenty millions more of the six per cent.

The Kansas House of Delegates has passed a resolution ordering an investigation into alleged bribery and corruption in connection with the recent election of Senator Ingalls.

The War Department asks for a deficiency appropriation of \$980,000, growing out of the bill passed last year having provided for the pay of only twenty thousand men instead of twenty five thousand.

Bertie Beaver, eleven years old, boarded a passing train at Altoona, Pa., yesterday, to obtain a short ride through the town. As he was stepping off again a passing engine struck him, and completely cut off his head and one arm.

The South Carolina State Gazette, in session at Charleston, yesterday, passed resolutions denouncing the action of the federal war companies in raising the price of fertilizers and petitioning the Legislature to repeal all existing charters to dig and mine phosphates in the rivers, and advocating the retention of the whole phosphate interest in the hands of the State.

FOREIGN ITEMS.

A disease resembling the plague has appeared in Persia.

Heavy snows in the Afghan passes are increasing the troubles of the English troops.

A Calcutta dispatch announces that Lady Lytton, wife of the Viceroy of India, has given birth to a son.

Yakob Khan has imprisoned Mahomed Khan at Kabul, and his followers have plundered the property of the absent sirdars.

Several skirmishes have occurred in the Cape Colony between the British troops and the Zulus, who retreat without making serious resistance.

Two cargoes of cattle shipped from Boston have been seized as sound at Liverpool. English cattle near Liverpool are affected with pleura pneumonia.

Latest Foreign News.

St. Petersburg, Feb. 7.—General Boris Melnikoff, who was recently appointed Governor General of the plague stricken districts which have been specially created into a province during the continuance of the epidemic, left here yesterday for Astrachan to superintend measures for arresting the plague.

M. Juchaczoff, the former treasurer of the Mutual Credit Fund Company, has been convicted of embezzling £2,000,000 from the company and sentenced to sixteen years penal servitude in Siberia.

Paris, Feb. 7.—Lord Lyons, the British Ambassador, will give a select banquet to President Grévy and the British Embassy next week. There will be fifteen covers.

Gen. Charzy will probably be replaced in the governorship of Algeria by M. Krafz, late director general of the Paris Exposition.

The Gazette de France says President Grévy is receiving the judges of the Court of Cassation to inform his colleagues that the Government does not intend to violate the principle of the immovability of judges.

Constantinople, Feb. 7.—Midhat Pasha has been authorized to make changes in his staff of functionaries and put in operation the reforms proposed by him to the scheme he submitted to the Porte for the organization of Syria.

Letter from Fauquier.

[Correspondence of the Alexandria Gazette.]

ORLEAN, Feb. 5.—The snow is falling at the rate of two inches per hour, and our towns and those of the adjacent country who believe that the "ground hog" rules the next six weeks, are rejoicing that it is so, and rather than have their "ground hog" predictions to fail, they would be glad to have just such weather for the next two months. Up to this morning they were full of fear and trembling lest the "ground hog" would prove a failure. As the sun only shows a portion of the second day of February they had not fully decided whether he saw his shadow or not. As they were not very well posted as to the time he makes his appearance this year, settles the question. They decide now that he did see his shadow.

This reminds us that we have heard of some other "signs" recently. There is a lady living near here who will not say a word to any one who she is sworn parson's seed. She says if she does speak the parson's will be petty, pronged and not fit for use. And another lady pays a gentleman a stated salary provided he will visit her house on the first day of January of every year before any lady does, so that she may have good luck. She firmly believes that if a woman visits her house first she will have bad luck all the year. The ladies don't have all the superstition, either. We met with a man on yesterday who said he did not believe in the "ground hog" for that was all stuff, but if he was leaving home and met a woman he would turn back, because he would have bad luck sure. If it was a white woman it would not be so bad. If it was a colored woman it would be fearful luck. He also stated that if he saw the new moon through a cloud he would be in a bad humor during that moon, cross, fearful, &c. It was clear he would be the best humor possible. We have concluded that some people always see the moon through a cloud, as some of them are seldom in a good humor.

Fire.

PHILADELPHIA, Feb. 7.—At an early hour this morning a fire occurred in the four story brick building, No. 123 North Second street, occupied by candy and confectionery by Gottlieb, McCook & Co. The three upper stories were completely destroyed and the stock of confectionery together with the machinery valued at about \$10,000 is almost a total loss. The property was insured.

LETTER FROM RICHMOND.

[Correspondence of the Alexandria Gazette.]

RICHMOND, Feb. 6.—The hall of the House of Delegates to day was uncomfortably crowded, the attention being the discussion on the bill providing for the sale and transfer of the canal property and franchises, and the building of a railroad in lieu thereof. Everybody in Richmond seems to be interested in the proposed scheme. After the adoption of various amendments, the substitute offered by Mr. Boock, as amended, was ordered to its engrossment. There are many speculations as to the effect of the "riders" tacked on the bill. Some predict that the Richmond and Alleghany Railroad Company will throw up the contract, and others, who profess to know, assert that though the bill, in certain respects, is objectionable, the contract will be adhered to. A strange rumor has been in circulation here for the past few days which should be refuted at once by those interested. It is stated that the leaders of the great enterprise have been offering for sale in the city of New York the charter of the Richmond and Alleghany Railroad Company and are only waiting for the passage of the bill by the Legislature to consummate the sale. Of course, few persons give ear to this on dit, nevertheless it should not be allowed to remain uncontradicted. I was first apprised of this piece of news by a prominent banker, and shortly afterwards by one of our leading real estate agents. That it has any color of truth remains to be seen.

The State debt question is one that will ever be stirred up until it has been permanently settled and thrown aside. Messrs. Leland, Charles and J. H. Carrington, representatives here of the London Council of Bondholders, have not yet received any reply in relation to the request made by the fifteen members of the joint finance committee for the modification of the 3 per cent. period contained in the McCulloch and Carrington proposition. They expect, however, to receive an answer to their communication in a day or two. The chairman of the joint finance committee will call a meeting of the committee as soon as some favorable indices are communicated to him. The more hopeful of our financial statesmen are convinced that an extension of the 3 per cent. period will be acceded to by the creditors of the State.

The long expected and almost despaired of report of the Committee on Printing, was submitted to day in both Houses. (By Mr. Bland in the Senate, and Mr. Lovell in the House.) It covers twenty-three sheets of foolscap, and in purport exculpates Mr. Brayer from the charges brought against him by Mr. Good.

Mr. Wilkinson, member from Pittsburg, succeeded in getting the House to concur, after a long and animated debate, in his resolution asking that the evidence in the Barkdale investigation be printed. Messrs. Barbour and Harvie opposed the resolution, claiming that the matter properly belonged to the Finance Committee and should be left to them entirely. Mr. Wilkinson claimed that he had charged Col. Barkdale with collecting a certain sum of money belonging to the State, which had not been accounted for. He desired that the evidence taken before the committee be printed because Col. Barkdale had effectively denied the accusation. Mr. Mushbach strongly urged the adoption of Mr. Wilkinson's resolution in justification of the charges made by that gentleman. The amount said to be unaccounted for is \$2,975, which Col. Barkdale and his associate say they will turn over to the State if the Attorney General and the Auditor of Public Accounts believe, after looking into the facts, that they owe it.

A gentleman from New York, Mr. Manning, claiming to own \$300,000 in Virginia State bonds, \$200,000 of which are consols, and \$100,000 in pebbles, telegraphs to Mr. Grimesley, chairman of the joint committee on finance, that he would be willing to take new consols bearing 3 per cent. interest for ten years, 4 per cent. for twenty years, and 5 per cent. for ten years. He also states that he believed an arrangement upon that basis would be generally acceptable to the creditors. The basis indicated on the pebble debt, he is willing to fund at 50 cents on the dollar in like bonds. In other words he proposes to fund at the rate of two consols to one pebble.

The indications at this present writing are that the Senate will so modify the Moffatt register bill as to virtually make it a nullity. The vote to-day on striking out the 10th section, which makes the principal legally liable for the acts of his agent or employee, was 17 to 10. This so disgusted Major Grimesley, the chairman of the Finance Committee, which reported the bill, and who was its champion in the Senate, that he made a motion to indefinitely postpone the bill, which was pending on adjournment. The strongest opponents to the law in the Senate are Messrs. Paul, Fulkerson, Gayle, of Portsmouth, Bradley T. Johnson and Chiles.

VIRGINIA LEGISLATURE.

In the Senate yesterday a bill was passed to amend the code in relation to the price of land warrants paid for waste lands.

A number of bills were reported from committee, and the Moffatt paper law further discussed.

In the House of Delegates bills were reported from committees to amend the act incorporating the towns of Falls Church, in Fairfax county; to amend the code in relation to turnpikes; to amend the code in relation to ferries; to amend the code in relation to internal improvements; and to amend the Eighth Columbia Baptist church, in Fairfax county, to sell and convey church property.

The House til to authorize supervisors to levy taxes on railroads to certain cases for county purposes was reported back with a recommendation that it do not pass.

Among the bills and resolutions introduced and referred were the following: To amend the code in relation to the payment of funeral expenses and doctors' bills during last illness; to repeal the fence law in certain districts in Clarke county, and as to the propriety of providing fees for sheriffs and other officers in commission of larceny.

The report of the investigation committee into certain charges preferred by Jas. E. Goode against R. E. Fryer, superintendent of public printing, exonerating Fryer, was submitted and ordered to be printed.

The Richmond and Alleghany Railroad bill, as variously amended, was finally ordered to be engrossed by a vote 33 to 28. Mr. Mushbach, of this city, voting in the negative, and Mr. Hunter in the affirmative.

The Army Bill.—In the House of Representatives, yesterday, the Army Appropriation bill being under consideration in committee of the whole, the motion to add the Reorganization bill as an amendment prevailed 101 to 91. An amendment was also agreed to amend the Revised Statutes and expunge the provision that the army shall be allowed to be at the polls on election day to "keep the peace." An amendment to the bill transferring the Indian Bureau to the War Department having been offered, a point of order was raised, but the Speaker overruled it, on the ground that the amendment was a measure of economy, whereupon Mr. Page, of California, offered a substitute authorizing the President to transfer the control of any of the Indian tribes temporarily to the War Department in case of Indian outbreaks, but without action the committee rose and the House adjourned.

William Astor, of New York, returned from Europe with his family, and duties to the amount of \$1,880 were assessed against his baggage, which he paid under protest. He now owes Collector Merritt for the whole amount.

FROM WASHINGTON.

[SPECIAL TO THE ALEXANDRIA GAZETTE.]

WASHINGTON, D. C., Feb. 7.

The question that has been agitating the tobacco growers, manufacturers and consumers for so long a time, and that has induced lobbyists not only singly but in battalions from all parts of the country to come to Washington and lay siege to the capitol, has at last been settled, at least so far as the Finance Committee of the Senate is concerned, and may in fact be said to be settled definitely and effectually, for there is no doubt now that the Senate will adopt the report of the committee. The committee was to have met this morning but not withstanding the personal efforts of Senator Withers to induce the members to be on hand there was no quorum. But the friends of the reduction though disappointed did not relax in their efforts, and during the session of the Senate this afternoon obtained a quorum in the committee room, and a vote being taken the majority agreed to report in favor of reducing the tax to 16 cents on chewing tobacco, 24 cents on snuff, and to let that on cigars remain as it is, and that there shall be no extension of the time fixed in the House bill for the law to go into operation. It is needless to say that this report is highly satisfactory to the large interest that has been working in its behalf. Senator Bayard was originally a 20 cent man, but he lately came over to the 16 cent side, and after the adjournment of the committee said he would report the bill to day if he got an opportunity. As said there is no doubt of its passage. If there have been some amendments to it it will of course have to go back to the House, but its friends say they do not anticipate any trouble there.

The Porter committee met again this morning, and after taking the concluding portion of Maddox's testimony examined Col. George W. Carter, formerly R. V. G. W. Carter, of the M. E. Church South. His evidence, like that of Maddox, went to discredit that of St. Martin.

Among the appointments sent by the President to the Senate this morning were the following: J. E. Harriott, to be postmaster of Philadelphia; Jas. Pollock, to be Naval Officer at Philadelphia, and A. L. Snowden to be Superintendent of the Mint at Philadelphia. Ex-Governor Harriott has thus been paid for putting the militia of Pennsylvania under marching orders to enforce the inauguration of President Hayes.

There is said now to be no doubt of the acceptance of the Peru mission by Senator Chittenden, and his resignation as Senator is looked for daily.

Among the bills reported upon favorably in the Senate yesterday, were those for the relief of the political disabilities of Asa W. Beach, D. W. M. Nash, C. B. Oliver, F. E. Sheppard, Charles F. M. Spenswood, John D. Semmes, C. H. Kennedy, Harry G. Thomas, W. B. Sinclair, and R. L. Page, of Virginia.

VIRGINIA NEWS.

Mrs. Hawley, an aged lady of Calverton, died last Saturday, in her 80th year.

Albert G. Camp, a prominent merchant of Lynchburg, died suddenly on Wednesday.

The new opera house at Lynchburg was opened last night. It is a magnificent structure.

Dr. James McAlpine Bliss, a promising young practicing physician of Portsmouth, died on Thursday of pneumonia, aged 27 years.

The store house and dwelling of J. C. Powell, Whitehall, Albemarle county, was destroyed by fire last week.

The residence of C. A. Tandy, in Campbell county, was destroyed by fire Monday night, with all its contents; loss \$2,500.

Miss Sarah Randolph, of Edge Hill, Albemarle county, has accepted charge of the Palmetto Institute at Edinburg City, Maryland.

Chas. L. Kennedy, W. T. Hixson, F. B. Stone, delegates, and Duff Green, alternate, have been appointed by the readjusters of Stafford to attend the Richmond convention on the 25th inst.

At a large meeting held at Spotsylvania C. H., on the 31st, resolutions were adopted and the acceptance by the Legislature of the compromise offered by the creditors for the settlement of the State debt.

The Anti-Orphan yesterday sent a communication to the joint finance committee of the General Assembly informing them that the State treasury was entirely depleted, and asking that means be devised to raise funds for current expenses.

The fly has injured the early wheat in some parts of Rockingham county, and the corn sown does not look so healthy and vigorous as that sown later. In Orange county the wheat is not looking as well as might be expected although it is evidently healthy.

Telegrams received in Richmond yesterday, indicate the acceptance by some of the bond holders in England of the exchange of the consols of the three per cent. interest charge of the consols bill for the settlement of the debt. The State says:—"Some other conditions are made, but it may be believed that the ten year extension will be accepted by the negotiators."

In the Corporation Court of Lynchburg, Tuesday, Frank Thomas, colored, was convicted for larceny, and his imprisonment fixed for ten years in the penitentiary. When the verdict was announced the defendant exclaimed: "You may send me to jail, but I won't surrender the term; I rather die now than go. I'll make things sweat in this city yet!"

The bill for the sale of the James River and Kanawha canal to the Richmond and Alleghany Railroad Company was ordered to be engrossed in the House of Delegates, yesterday, by a vote of 33 to 28. The bill has been amended in many ways; the principal amendment being that in the event of the road not being completed within two years after the time originally fixed in the bill, everything, including the \$500,000 security given by the railroad company, shall be forfeited; also that the road shall be taxed the same as other roads of the State.

UNIQUE MARRIAGE NOTICE.—The following unique marriage notice was handed in for publication yesterday afternoon. As going to show up one of the many difficulties with which newspaper publishers have to contend in compiling local items, we print it in its original style:

"Married on Tuesday Francis Bailey to Mary E. Dryden the bride was married a day sooner than she is tended throw the citizen of the old man he was frado of a surande and lured the marriage on and curvade a new rode throw the swome out to conners church and tuck his sevin Baril revolver and rode his leazard mule made of the Bridge gun to prevent the surande band they march on Bravelly and gave them a ride Band the old man being so exzited from taking a little too much Wine turned his mule out in the road and I entered his saddle home on his back."—Snow Hill, Md., Messenger.

COURT OF APPEALS, YESTERDAY.—Gill and als vs. City of Richmond. Appeal allowed and supersedeas awarded to a decree of the Chancery Court of the city of Richmond.

Renold's executor vs. Callaway's executor. From the Circuit Court of Franklin county. Affirmed, Judge Moncreu delivering the opinion; Allen vs. Scruggs, administrator, and als. From the Circuit Court of Buckingham county. Reversed, Judge Christian delivering the opinion.

Kenney vs. Hoffman and als. From the Circuit Court of Fauquier county. Reversed, Judge Anderson delivering the opinion.

Boynton and als vs. MacNeil and als. From the Corporation Court of Alexandria. Reversed, Judge Moncreu delivering the opinion; Judges Christian and Burks dissenting.

Danville Bank vs. Waddill's administrator. From the Circuit Court of the town of Danville. Affirmed, Judge Burks delivering the opinion; Judges Moncreu and Christian dissenting.

Episcopal Theological Seminary.

To the editor of the Alexandria Gazette:

The interest which many of your readers feel in the Episcopal Seminary in Virginia, and that which the whole community must feel in the subject of war claims, induces me to ask space in your columns for a statement of the facts connected with the claim of this Seminary and the great injustice that has been done the institution by the defeat of the bill for its relief by the House of Representatives.

Your readers are doubtless aware that this Seminary is what is known to law as an ecclesiastical corporation, i. e. one established for some benevolent purpose; in this instance for a most benevolent, as well as Christian purpose, that of the free education of ministers of the Gospel. It may not be as generally known that the endowment fund and the cost of the erection of the buildings was donated by benevolent persons all over the country, and in some instances from beyond its borders, while its alumni are preaching the Gospel, not only in every State of the Union, but to the heathen of Asia, Africa, America and I may say, Europe also, as the mission to Greece has been for years, alone upheld by one of them. Thus, both in its misanthropy and its results, the whole nation is interested.

On the 23d of May, 1861, the ordinance of secession was ratified by the people of Virginia, and that night the United States forces took possession of Alexandria, throwing out their pickets beyond this Seminary, and this territory was never afterwards in the hands of the Confederate troops, but was "permanently occupied" and held in subjection by the Union forces. On the 25th of August, 1861, the Seminary buildings, then new and furnished throughout, were taken possession of by order of the Surgeon General of the U. S. Army, and used as a hospital for four years, and when finally surrendered all the furniture had been "appropriated," hauled off, and sold for the benefit of the great government of the United States. And, in addition to this, all the wood and lumber on the premises had been used as fuel to warm their sick and wounded soldiers, as many as eighteen hundred of whom were at one time cared for there.

The bill lately under discussion by Congress asked, not for reimbursement for these losses, but for rest for the buildings used for the actual benefit derived by the government, and the comfort enjoyed by its suffering soldiers, for which we would think every patriotic Northern man would gladly pay.

It is hard to discover the exact legal status to which the republicans party would consign us. Whether we occupied the position of a foreign belligerent, a revolted province, or "erring brother," is not quite clear, nor is it necessary for the purposes of this statement to decide. For while the South was unrepresented in Congress, and did not exercise a leader's weight in the government, a radical Congress, and a partisan judiciary established rules for the payment of so called war claims. If therefore we bring our case within these rules we are entitled to payment.

The rule, as laid down, by a committee of the 44th Congress, is as follows:—"The government is in honor and in law, bound to make compensation for property of citizens used, damaged or destroyed, when, during the rebellion, the ordinary laws of war as to enemy's country were, by general policy of the Government, so far modified that in such parts of the rebel States as were permanently occupied and controlled by the Union military forces, and where rebellion had ceased and was no longer probable, the Government assumed to interfere no further with the rights of person and property of the enemy than should be required by necessary submission to a military government." The courts and Congress have construed this rule in favor of the citizen, and those who remained attached to the Federal Government. Let us see how the case in hand conforms with these requirements.

It is well established that a corporation of this kind can be neither loyal nor disloyal, being composed of trustees empowered only to use its funds for the purposes for which the institution was incorporated, and are incapable of impressing their individual feelings upon their trust. Blackstone long since asserted as law, the proposition that no corporation could commit treason, and the Supreme Court in the Home Insurance Company's case has said that it is sufficient for a body corporate to show that it never gave aid or comfort to the rebellion by showing that it was incorporated for a lawful purpose, and that it never applied any part of its funds to aid the rebellion; and if this be true of a religious body? I can hardly think more necessary on the question of loyalty.

Mr. Lincoln by his proclamation of the 16th of August, 1861, declares the inhabitants of all the southern States in insurrection, except those parts of the State of Virginia situated north of the Alleghany mountains, and such other portions of that State, and of the other States named "as may maintain a loyal adhesion to the Union, or may be from time to time occupied and controlled by the forces of the United States." &c. Before the issuing of this proclamation, on the 24th of May of the same year, Alexandria had been occupied, so that it evidently must have been included in the "loyal adhesion" clause of the proclamation. This view is strengthened by the fact that all restrictions on the trade of the city were removed by a special proclamation issued the 24th of September, 1863, and by the further facts that U. S. taxes were collected there, a U. S. judge and a loyal State government located there, and above all Senators and Representatives to the U. S. Congress elected to represent that district. It has been of record that the proclamation of April 21, 1863, modifying that of August, 1861, does not mention Alexandria, but in the face of the above facts such an objection is futile. It might as well have been expected to find the city of Boston in the list. We are, however, not left in the dark on this question for the want of legal authorities. The Supreme Court has considered it, and says in the case of The Veins, "substantial, complete and permanent military occupation and control as distinguished from one that is illusory, impermanent, and transitory, working the exception made in the act of July 13th, 1861, which excepts from rebellious conditions those parts of rebellious States which at the time occupied by the Union army, and which are not in the power of the insurgents, and which military occupation draws after it the full measure of protection to person and property consistent with a necessary subjection to military government." And in the case of the Planter's Back vs. Union Bank they again declare New Orleans in 1863 reclaimed territory. Mr. Justice Grier in delivering the opinion of the same court in "the prize" cases says: "It is no longer unauthorized incursion, having no defined boundary or possession. It has a boundary marked by lines of bayonets, and which can be crossed only by force. South of this line is enemies' territory, because it is claimed and held in possession by an organized hostile and belligerent power." Can there be any doubt as to the status of Alexandria, which was not in the Confederacy for a single day.

The technical loyalty of the territory being thus established, how can the government escape the liability for the use of the property of citizens therein. It is with great diffidence that I refer to the constitution of the United States in connection with northern republicans, knowing as I do their dislike for that instrument, but surely I may be permitted to remind a democrat of its existence, and that the fifth article of amendment provides that "no person shall be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation." Republicans dispose of this by saying that it does not apply to a time

of war. My reply is that the constitution makes no such exception, and then an appeal to what they may perhaps consider a "higher law," a decision of one of their partisan courts. In the case of Waters vs. U. S., the Court of Claims says: "The act to restrict the jurisdiction of the Court of Claims which provides that jurisdiction shall not extend to claims growing out of the appropriation of property by the army or navy engaged in the suppression of the rebellion seems to imply that the property taken for the use of and used by the army in a State not in rebellion shall be deemed taken under an implied contract, and where a building in the District of Columbia taken as a military hospital, the Court will entertain jurisdiction of an action for rent." After examining these authorities I can only account for republican opposition to the measure by their known antipathy for everything southern, not republican. To them I have nothing to say, but may I not be excused for a few lines devoted to our democratic friends, who opposed this claim? They pretend to be devoted to constitutional government and rights to all men before the law, and therefore should lend a willing ear to a plea for justice.

What has been said above applies with ten fold force to them. Their platforms have always extended for a strict construction of the Constitution and a strict obedience to the law made in pursuance thereof. From whatever point we regard this question they are bound. If they adopt the republican theory, that only the loyal should be paid, we have shown that this institution could not be disloyal. Suppose they adopt the language of the Supreme Court and say that all persons residing within the territory where property may be used to increase the revenues of the hostile power, are in this contest liable to be treated as enemies, though not foreigners, and we will also say for argument sake, that this property was at one time within insurrectionary territory, they must acknowledge that we are now loyal, and that there was a time when we returned to our allegiance to the federal government, and were entitled to all the rights and privileges of citizens in respect of property. This being so, the period of our return to loyalty must have dated from the time the United States took possession of the territory and was acknowledged as supreme power. It follows therefore that under the Constitution the government is liable for all property actually seized or destroyed during the rebellion.

If they follow out their old time view, then peculiar to this country, of a double sovereignty, State and federal, and that the sum here people though loyal to one were disloyal to the other, and that the South acted as States during the war, that the whole State was insurrectionary territory, then the law of nations, which under the Constitution, is part of our law, makes the case. Wheaton, in his work on International Law, after speaking of the ancient law, says: "But by the modern usage of nations, which has now acquired the force of law, temples of religion, public edifices devoted to civil purposes only, monuments of art, and repositories of science, are exempt from the ravages of war." We therefore see that regarding this case from what standpoint we will, men of democratic principles must support the bill.

It is feared, however, that principles are no longer the controlling motive with many of our legislators. The ardor of office, the desire for consistency, and the desire to avoid the payment of war claims (except in this case of course) on the ground that it would bankrupt the government to pay all, and that one may be as just as another; but we demand that if the public money is to be voted away to so-called loyal men of the South that our educational and charitable institutions be paid just compensation.

Let me say in conclusion that no one would more willingly adopt the utterances of southern leaders in Congress than I, and forever bar the payment of war claims (except in this case of course) on the ground that it would bankrupt the government to pay all, and that one may be as just as another; but we demand that if the public money is to be voted away to so-called loyal men of the South that our educational and charitable institutions be paid just compensation.

Yours for the bill.

EDWARD D. BROWN, Editor of the Alexandria Gazette.